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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LISA LIBERI, et al.,)	Case # 09-1898 Hon Eduardo Robreno presiding
)	
)	
)	
Plaintiffs)	
)	
v.)	
)	
ORLY TAITZ, et al.,))	
)	
Defendants.)	

Reply to Opposition to motion

SEP 28 2010
MICHAEL E. HUNG, Clerk
By _____ Dep. Clerk

Defendants, Dr. Orly Taitz and Defend Our Freedoms Foundation hereinafter "Defendants" are providing a following reply to the 09.14.10 opposition to their motion to provide documents, missing from 08.07.09. transcript and for 60B motion for reconsideration.

Plaintiff's opposition provided zero evidence to deny the Defendant's motion for production of Liberi's PA driver's license, allegedly submitted to this court during 08.07.09 emergency hearing. Yet again Plaintiffs commit fraud on the court, as they bring

forward slanderous accusations and allegations, claiming that Liberi's drivers license needs to remain sealed due to threat of violence by the Defendants without any shred of proof that Taitz or any other defendant or anyone else for that matter did anything or took any step to harm them. The only reason Liberi is demanding to keep her valid PA drivers license sealed, is because she and her attorney Philip Berg know that she does not have such license, and that this court assumed jurisdiction in error, based on the fraud on the court committed by them. They are rehashing their own affidavits with egregious accusations of crimes without any shred of evidence of such crimes. They are claiming, that they went to police, however in the period of a year and a half there was nothing done by police , since there is no evidence of any crimes or any threat of crime or violence against the plaintiffs. Repeatedly this court issued orders, refusing to seal any documents or any proceedings in this case. Similarly, the Third Circuit Court of Appeals denied all of Plaintiffs' motions to have any documents sealed, as both this court and the Court of Appeals saw zero evidence and zero basis for Plaintiffs' allegations of any threat of any violence to Plaintiffs.

On 07.14.10 this court issued an order clearly stating that 08.07.09 transcript is not sealed.

On 07.26.10 Plaintiffs asked Your Honor to Reconsider Your Decision not to seal the transcript of 08.07.09 hearing. Defendants responded.

On 07.30.10 the clerk of the court filed Plaintiff's Reply to Opposition from the Defendants dated 07.29.10.

On 08.04.10 this court denied Plaintiffs Motion for Reconsideration and refused to seal the transcript. It clearly stated "It is hereby **ORDERED** that Plaintiff's emergency

motion for reconsideration (doc. N o 135) is DENIED.” 1” The court has reviewed the dockets and transcripts of the June 25, 2009 and August 7, 2009 proceedings, and neither the dockets nor the transcripts filed under seal. Therefore the transcripts are not under seal. In any event, the transcripts do not contain any reference to specific social security numbers of any one individual.” Within the same order Your Honor specifically mentioned that Your Honor reviewed letter from witness K. Strebel and letter from Shirley Waddell.

On 08.31.10 the clerk of the court forwarded the transcript to the Third Circuit Court of Appeals and made them available to the public.

On 09.08.10. within 8 days of publication of the transcript Taitz filed a motion requesting release of the documents, submitted to court at the hearing, but not included as part of the transcript. The most important document is Liberi’s PA driver’s license. Liberi’s state residence is a material fact that is supposed to show, whether the court had jurisdiction over the case in diversity or not, as diversity can be assumed only based on specific evidence, not based on assertion. Taitz filed an appeal to the Third Circuit Court of Appeals, arguing that the court erred in assuming jurisdiction, as Liberi never produced any evidence of her residence. In pleadings signed by Plaintiff’s attorney Berg on 07.29.10 and filed by the Plaintiffs on 07.30.10 the plaintiffs claimed that the court assumed jurisdiction in diversity and entered it’s 06.04.10 order a statement “Liberi is a resident of PA” based on the documents, submitted to court during the emergency hearing on 08.07.09. In those pleadings as well as pleadings provided on 09.14.10 they list Liberi’s drivers license as one of those documents. If court assumed jurisdiction in diversity and stated in it’s order, that Liberi resides in PA, Defendants are entitled to see

this evidence. Moreover, Berg filed a motion to dismiss an appeal filed by Taitz. Third Circuit Court of Appeals denied Berg's motion to dismiss and issued the briefing schedule. Taitz needs to submit her Appellant brief and time is of the essence. Liberi's driver's license is the most important and the only piece of material evidence, that would show, whether the court erred in assuming jurisdiction and denying the Defendant's motion to dismiss due to lack of jurisdiction. Taitz never threatened Liberi or other Plaintiffs. Nobody else threatened them. Plaintiffs response and attached affidavits do not show any evidence of anything done by Taitz or anyone else, that in any way harmed them or put them in fear for their lives. Plaintiffs are bringing yet again their own affidavits as well as affidavits of Shirley Waddell, Liberi's mother, and some unemployed truck driver from Utah K. Strebel, who are claiming that Defendants threatened them and the drivers license should remain sealed, because they are afraid for their safety, however they did not provide a scintilla of evidence to show that Taitz or anybody else did anything to threaten them or harm them. Your Honor reviewed those letters from Waddell and Strebel and Plaintiffs time and again. The Plaintiffs have brought the same allegations dozens of times to this court and the Court of Appeals, seeking emergency order to seal Liberi's records and every time Your Honor and Third Circuit Court of Appeals did not find any merit in those allegations and each and every time repeatedly denied each and every motion filed by the Plaintiffs, requesting to seal Liberi's vital records. The only record that would not be disclosed, is the full social security number. Taitz is not requesting to unseal Liberi's full social security number. She is requesting to unseal Liberi's PA drivers license, allegedly submitted to court on 08.07.09, which was

the basis of this court's order to assume jurisdiction in diversity and write in it's order of 06.04.10 that "Liberi is a resident of PA".

Even though not required to do so, in order to expedite the matter and have this case quickly dismissed, Taitz would agree to accept a redacted PA drivers license of Liberi, whereby Liberi's street address is redacted. This should show the court that Taitz has no intention to harm Liberi or anyone else for that matter and the whole allegation of fear for Liberi's safety is of no merit, absolutely bogus.

Liberi and Berg filed this legal action, claiming that Liberi is a resident of PA and that she was defamed and slandered, when Taitz published the criminal record of Liberi from CA. They put Liberi's state residence at the center of the controversy and knew that it is a condition for this court to assume jurisdiction in diversity, and they knew, that they need to provide material evidence to prove that Liberi is a resident of PA, when they claimed that she is not the same Lisa Liberi, who committed multiple counts of forgery and theft in CA, and that she was slandered. Taitz is simply seeking verification of the claim, made by Liberi and Berg in their own complaint and numerous pleadings and is seeking to find out, if she is indeed a resident of PA. Taitz will agree to receive a redacted PA drivers license, submitted by Liberi to court 08.07.09, which does not contain the street address of Liberi, but only her picture, proof of state of PA residence and date, showing that at the time current action was filed, on 05.04.09. Lisa Renee Liberi, with her picture, as seen in exhibit 1, was a resident of the state of PA.

Due to the fact, that Liberi has a lengthy criminal record, which includes forgery of documents, and based on the fact that Liberi was positively identified by Ed and Caren Hale as the same person, who was depicted in the affidavit of investigator Sankey, and

identified as Lisa Liberi, who was convicted in CA and allowed to reside only in CA or NM, Taitz believes that there is a high probability, that Liberi and Berg submitted a forged PA drivers license, and that their assertion, that Liberi is a resident of PA is an egregious fraud on this court and the Third Circuit Court of Appeals.

If no valid PA drivers license was submitted to this court, this court made an error and assumed jurisdiction in diversity based on fraud on the court by the plaintiffs and Berg, and this court will have no other choice, but to dismiss this action due to lack of jurisdiction and award damages to the Defendants due to the fact that this case was filed based on egregious fraud on the court by the Plaintiffs and their attorney Philip J Berg. If this court did not receive any evidence of residence, not only it did not have jurisdiction to hear the case, it did not have jurisdiction to transfer the case, as other Federal District courts will equally have no jurisdiction, as Liberi never provided any evidence of her state residence.

Motif for fraud on the court

Taitz submits into evidence exhibit 2, letter from Jeff Staples. Mr. Staples was hired by Plaintiff and attorney for Plaintiffs Philip Berg to serve as a web master for Berg's website "ObamaCrimes.com". In his letter and attached 15 pages of computer printout Mr. Staples shows that Liberi repeatedly handled credit card numbers of the donors and manually entered those numbers into Merchant accounts connected with the web site. This is clearly in violation of the terms of her probation, which were repeatedly submitted to this court by Taitz . Both Taitz and Linda Belcher advised Berg, that he is aiding a felon in violation of her probation, by allowing her to enter the credit card numbers of others, both Taitz and Belcher advised Berg, that he is endangering the public

by doing so, since Liberi has multiple convictions of theft. Letter from Web master Jeff Staples represents personal knowledge, obtained by personally interacting with Liberi. This is an outcry from “witness statements” produced by the plaintiffs, whereby those statements do not contain any personal knowledge, but simply hearsay and repeated rehashing of slanderous allegations by the Plaintiffs.

Exhibit 3 is an affidavit of Linda Belcher, who states that she knows Berg for over 10 years, during which time she volunteered for Berg. She states that Liberi admitted to her, that a merchant account was connected to Berg’s website under the name of Berg’s girlfriend Carol and another account under the name of Brent Liberi, Lisa Liberi’s husband. Not only Lisa Liberi is not allowed to handle credit card accounts of others, she is also on disability and receiving disability payments from the Social Security administration. Liberi’s husband Brent has no legal background, he is a forklift operator. The only reason to forward any payments to him, would be to compensate Liberi, who claims to be a volunteer paralegal for Berg, while defrauding the Social Security administration, which is paying Liberi disability checks. Additionally, if Berg did not report to the Social Security administration and IRS donations received in the pay-pal account, set for his girlfriend Carol and ones that were diverted to Liberi’s husband Brent Liberi, it would constitute fraud of both IRS and Social Security administration.

Such admission by Liberi, contained in Belcher’s affidavit is admissible evidence as an admission against interest.

Claims of threat of violence are without merit.

Upon review of of affidavits submitted by the Plaintiffs, Your Honor can clearly see that those affidavits reveal no facts of any acts by Taitz or others to harm them in any way.

Affidavit of Lisa Ostella talks about a dispute over the website, her affidavit provides no evidence of any acts to harm her or her family.

Similarly, affidavit of Evelyn Adams shows no evidence of any acts by Taitz or others to harm Liberi or Ostella or anyone else. Moreover, in this affidavit, signed on September 19, 2010 and a number of prior affidavits Adams states that she is a 72 year old woman, who had an Internet radio show, but was not on the Internet since November 30, 2009. On page 5 of her affidavit she states that "Liberi does not handle credit cards, as the donations are made through Pay-Pal secure site". This statement clearly provides false information, as signed letter from Berg's web master Jeoff Staples clearly states that Liberi handled credit cards of others and manually entered them, when donations did not go through for some reason. Clearly, a professional like Mr. Staples, who was retained by Berg and paid to upkeep Berg's site, has superior knowledge, than 72 year old internet radio talk show host, who simply was Berg's supporter. Either this older woman simply does not know, what is going on, or she is intentionally committing fraud on the court in exchange for Berg handling her separate case, dealing with her dispute with talk show host Ed Hale, however her affidavit, in contrast to letter from professional web master show her as either uninformed or not truthful. Her affidavit did not provide any evidence of any acts by Taitz or anyone else, that would show impending harm and would justify sealing of Liberi's driver's license.

Shirley Waddell is Liberi's mother, who is clearly biased and who clearly does not want her daughter to go back to prison. Her affidavit appears to be very similar to multiple

prior affidavits of Liberi and Strebel and appear to be penned by either Berg or Liberi. Again, nothing in this affidavit shows any evidence that Taitz or anyone else took any steps to harm the plaintiffs or their families.

Plaintiff's main witness is an unemployed truck driver from Utah Kelly Strebel, who personally witnessed nothing and has no evidence of any act by Taitz or anyone else to harm Liberi or anyone else. Most telling is the fact, that Strebel's own testimony at 08.07.09 hearing is the most damaging evidence against Liberi and Berg. At the hearing Strebel stated, that Liberi showed him her social security card on the plane, as they flew to the hearing. If Liberi and Berg and the rest of the plaintiffs were not defrauding the court, and Liberi indeed resided in PA as she claims, and if she was physically working in Berg's office, she would be driving to the hearing in Philadelphia from Lafayette Hills, PA, she would not be flying from the West coast. Testimony of the only witness Plaintiffs produced, is actually harmful to them, and indicates that indeed fraud was committed by the plaintiffs. Additionally, Strebel's testimony contains nothing but hearsay and slander. On page 9 he states "it is believed Defendant Taitz was hiring Ruben Nieto to harm Plaintiffs Liberi, Ostella and their families". He provided zero evidence to substantiate this belief, zero evidence of Taitz ever having any contact with this individual. The reason he does not provide any evidence to substantiate such slanderous statement, is because it never happened, it is one hundred percent false, it never happened, Taitz has no clue who this Ruben Nieto is, she never hired him to do anything. On page 3 he states "...Taitz and John Allen have colluded to further bring harm to Lisa Liberi". Again, he provided zero evidence to substantiate such allegation. Strebel provides some 12 pages of legal theories, but it is not clear, how does this unemployed truck driver knows those theories.

He provided no personal knowledge of any facts in this case. He attached some 100 pages of copies of Taitz web site and claims that the fact that Taitz published pleadings of this case, constitutes an obstruction of justice, harassment and stalking. This is an absolutely insane argument. This is an open court, the pleadings are on pacer and available to the public at large. Publication of the pleadings is not obstruction of justice, not harassment, not stalking, it is a lawful act. Moreover, it is in public interest, since Berg is engaged in Nation Wide fundraising and submission of multiple documents to court, and the public at large is entitled to know that his associate has multiple criminal convictions of forgery and theft. Kelly Strebel, being a truck driver might not understand, that an affidavit is supposed to provide personal knowledge of actual facts, known to affiant, which he did not provide. Berg is a licensed attorney, he knows that, yet he submits to this court hundreds of pages of absolutely nothing, but slander and fraud on the court. His only goal is to "paper the judge" and further defraud the court by stating in his pleadings "Orly Taitz has been stalking Lisa Liberi and Lisa Ostella and her children", even though he knows that there is not even a scintilla of truth to this allegation and he did not provide any evidence to substantiate this statement. This conduct represents an egregious fraud on the court.

Fraudulent claims by the Plaintiffs that defendants engage in obstruction of justice

Again, without any shred of evidence the Plaintiffs are claiming that Taitz is engaged in obstruction of justice and that she is violating 18 U.S.C §§1501-1507

The most cognizable of the frenzied and imaginative allegations by plaintiffs in their opposition brief is that defendant Taitz is somehow obstructing justice via various

intrigues including plots to murder plaintiffs and their children. Plaintiffs claim she is violating 18 U.S.C. §§ 1501-1507 though actually the term encompasses §§ 1501-1521.

For example 18 U.S.C. § 1501 is Assault upon a Process Server – there is no evidence defendants have done any such thing. 18 U.S.C. § 1502 is Resistance to an Extradition Agent – it is inapplicable. 18 U.S.C. § 1503 is influencing or injuring an officer or juror generally including a judge or magistrate – this is a serious allegation of which there is zero evidence. 18 U.S.C. § 1504 is influencing a juror by writing – inapplicable. 18 U.S.C. § 1505 is obstruction of proceedings before departments, agencies, and committees of Congress – again no applicability. 18 U.S.C. § 1506 involves tampering with court records and false bail. 18 U.S.C. § 1507 involves picketing or parading a court house.

There are other obstruction crimes including 18 U.S.C. §§ 1508-1521 none of which apply to plaintiffs (or defendants). The most despicable allegation relates to 18 U.S.C. § 1513 retaliation against a victim or witness. This is an extremely serious crime – hiring hit men would definitely qualify. Attorney Berg and his clients claims that because Lisa Ostella claims that some individual tried to withdraw money from Ostella's pay-pal account, that means, that this individual is a hit men, that Taitz somehow knew him, that Taitz tried to hire this hit men to kidnap children and kill Plaintiffs, and this is the reason, why Liberi's PA drivers license should be sealed, and this court and the court of Appeals are supposed to assume that Liberi is a resident of PA without any material evidence, without any proof, but only based on this insane tall tale. Berg claims that if the defendants are requesting to see the drivers license, to verify that she is a resident of PA, it is an indication of Obstruction of Justice. Yet again, it is understandable, how an

uneducated career criminal, like Liberi can put this on paper, it is understandable how their only witness, unemployed truck driver from Utah Kelly Strebel can sign on something like this without a scintilla of proof of any element of this allegation, however what is absolutely inconceivable, is how a licensed attorney Philip Berg can submit something so utterly insane, such egregious fraudulent statement to this court and the Third circuit Court of Appeals? On the other hand plaintiffs' perjured statements, false reports to law enforcement about hit men, and fraud on this Court present a better *prima facie* case for obstruction of Justice on part of the Plaintiffs and their attorney.

Rule 59 and Rule 60 argument

Rule 59 argument in opposition is completely frivolous, as the motion was not. filed under rule 59.

Rule 60 (b)(3) Relief from Judgment or Order due to fraud "... shall be made within a reasonable time and for reasons (1), (2) and (3) for not more than one year after the judgment. Order not to dismiss due to lack of jurisdiction was issued less than a year ago. From August 2009 until February 2009 Berg claimed that he made financial arrangements to purchase the transcript and forward it to the Court of Appeals as part of his Appeal. Taitz was expecting to receive a copy of the transcript as part of the appellant's brief. After The Court of Appeals found out that Berg never purchased the transcript, and issued an order to show cause to Berg, Berg filed a motion to withdraw his appeal of the August 7, 2009 ruling of this court. This order was granted around May of 2010. In June of 2010 this court denied the Defendant's motion to dismiss due to lack of Jurisdiction and assumed jurisdiction in diversity, claiming that "Liberi is a resident of PA" and ordered the case severed and transferred.

When Taitz filed a motion for reconsideration, citing that this court never got any evidence, showing Liberi's state residence, Plaintiffs responded by claiming that she provided this court with her driver's license, and that her the decision of this court, that "Liberi is a resident of PA" is based on the documents provided during August 7 hearing. In cases in which jurisdiction is based on diversity of citizenship, plaintiff has burden to show, first, that applicable statute confers jurisdiction, and, second, that assertion of jurisdiction is consonant with constitutional limitations of due process. *Weight v Kawasaki Motors Corp. (1985, ED Va) 604 F Supp 968.*

Party's mere allegation of diversity cannot satisfy its burden of establishing district court's jurisdiction; citizenship of each real party in interest must be established by preponderance of evidence. *Roche v Lincoln Prop. Co. (2004, CA4 Va) 373 F3d 610.*

Complaint alleging that defendant's corporate citizenship was in a state other than California but failing to allege that plaintiffs were all citizens of California was not sufficient to give District Court jurisdiction since pleadings did not otherwise resolve

issue of citizenship. *Bautista v Pan American World Airlines, Inc. (1987, CA9 Cal) 828 F2d 546, 126 BNA LRRM 2559, 107 CCH LC P 10159.*

Court lacked jurisdiction over patient's claims because he failed to establish diversity jurisdiction because at time he filed complaint both he and hospice were citizens of State; also patient only sought \$ 10,000 in cost and unspecified amount for other damages,

which did not meet amount in controversy. Olsen v Quality Continuum Hospice, Inc. (2004, DC NM) 380 F Supp 2d 1225.

Complaint against John Doe defendant alleging Internet defamation was dismissed for lack of subject matter jurisdiction because there was risk that if John Doe's identity were discovered there could have been no diversity, and court's jurisdictional authority would have disappeared; court declined to read amended language of 28 USCS § 1441 into 28 USCS § 1332 because it would have accomplished much broader result of allowing case with only one party and only state law claims to proceed initially in federal court. McMann v Doe (2006, DC Mass) 460 F Supp 2d

In motorist's personal injury lawsuit against, inter alia, owners of property adjacent to private railroad-track crossing where car-train accident occurred, pursuant to 28 USCS § 1447(d), appellate court lacked jurisdiction to review remand that implicitly was based on lack of subject matter jurisdiction; district court clearly was addressing jurisdictional issues--diversity of citizenship, 28 USCS § 1332, and fraudulent joinder--and when doing

so, it properly declined to decide doubtful question of state law and, instead, resolved ambiguity (lack of state law directly on point) in motorist's favor. Filla v Norfolk & Southern Ry. (2003, CA8 Mo) 336 F3d 806.

Where record creates doubt as to jurisdiction, trial court must determine whether there are adequate grounds to sustain its jurisdiction over subject matter. Shahmoon Industries, Inc. v Imperato (1964, CA3 NJ) 338 F2d 449, 9 FR Serv 2d 12B.22, Case 2.

Court has duty to look to its own jurisdiction and lack of subject matter jurisdiction may be asserted by court, sua sponte, at any time. Jeter v Jim Walter Homes, Inc. (1976, WD Okla) 414 F Supp 791.259. decided by a preponderance of evidence.

Plaintiffs did not present any evidence, not a shred of evidence, showing Liberi to be a resident of PA. Defendants have shown that according to her probation she can reside only in CA or NM, she is subject to the jurisdiction of CA, therefore the case at hand has to be dismissed as citizenship of Liberi was not provided to resolve the issue of diversity to allow it to proceed in Federal court. Defendants have a right to get a copy of such PA license, as it is material in this case. If indeed Liberi did not produce a PA drivers license or produced a forged PA drivers license, than this court made an error of fact, it had no jurisdiction and the case has to be dismissed due to lack of jurisdiction. Decision made based on fraud is a valid ground for 60 B reconsideration. All of Liberi's allegations, that her license is supposed to be sealed due to the fact that she is being threatened are not based on any facts, are not base on any evidence. Plaintiff provided nothing except slander, defamation of character and insane tall tales. Liberi claims, that Taitz boxed her in. In reality Taitz did not box her in, Liberi's own lies caught up with her. If she refuses to provide her license, the case needs to be dismissed as the court has no jurisdiction to sit in diversity without proof of citizenship. If she produces a valid license, it will show her

residing in CA or NM and will show that she is indeed the same Lisa Liberi, who committed 10 counts of forgery and fraud in CA and allowed to reside only in Ca or NM under the supervision of the probation department. It will show the court that the whole case for slander and defamation, that she filed by claiming to be resident of PA and an innocent victim of slander, is frivolous and represents fraud on the court, which would be grounds for the dismissal of the case and sanctions against the plaintiffs and their attorney Berg for the egregious fraud on the court.

False allegations by Liberi, that she is currently a victim of domestic violence.

During last year and a half Taitz repeatedly provided this court with evidence of Liberi's 42 criminal charges (possibly more, as she used different names and different social security numbers) and at least 10 criminal convictions. Taitz provided this court with excerpts of prior criminal proceedings where Liberi accused her arresting officer, prosecuting attorney, detectives and employees of the correctional institution of harassing and/or stalking her. Taitz provided testimony of detective Librieck of San Bernardino, CA DA investigative unit, stating that she threatened her own sister, who cooperated with the police and provided evidence of Liberi's prior out of state convictions. Currently Liberi claims, that not only Defendants are threatening her, but that she is a victim of domestic violence, and that is a reason, why her PA drivers license needs to be sealed.

Yet again Liberi presented zero evidence of such allegation. She was divorced from her first husband Mr. Courville for some 20 years and he had nothing to do with her for approximately 20 years. She has been separated from her ex-boyfriend and father of her only child, her 19 year old son, for over 10 years and he had nothing to do with her for approximately 10 years. She is still residing with her second husband Brent Liberi, whose name was entered in connection to the Merchant account of Philip Berg. There is no evidence of any current domestic violence, which would make her fear for her life and justify sealing her PA drivers license. Liberi might have had domestic problems 10 years ago, however she provided zero evidence to prove, that at the time of filing of this legal action or currently there was any domestic violence.

Again, Liberi went on multiple radio shows together with Berg. Several shows were done by internet talk show host Evelyn Adams. Liberi's behavior is inconsistent with the profile of an individual, who is a victim of domestic violence and who wants to keep low profile. Liberi claims, that she provided Your Honor with a current valid "safe home card". This card is not part of the evidence and was not provided to the Defendants by the court, however Liberi has multiple convictions of forgery of documents and most probably the card, that was provided, is an old card or a forged card. As of today the documents on the docket, that were provided to the defendants and to the Third Circuit Court of Appeals as a certified docket, show zero evidence of any current threats to Liberi from either the defendants or her ex husband or her ex boyfriend. On the contrary, a letter from web master Jeoff Staples and letters and affidavits from volunteer political researcher Linda Belcher, who knew Berg for over 10 years, show that Liberi was engaged in violation of the terms of her probation by handling credit card numbers of

others, that Attorney Berg knew about it and filed this legal action with the goal of harassing the whistle blowers and by fraudulently stating that Liberi is a resident of PA and not the same Liberi, who was convicted in CA and currently on probation. When defendants demanded proof of this allegation, Berg and Liberi committed further fraud on the court by claiming that Liberi's PA drivers license is supposed to be sealed, because she is in fear of her life and by falsely accusing defendants of crimes or intent to commit crimes. Without any shred of evidence they falsely accused of multiple crimes a number of individuals: Desert Storm veteran, mother and wife Pamela Barnett, Licensed investigator Sankey, veteran and retired engineer Neil Turner, retired engineer Norman Murray and Taitz, who is a licensed attorney and licensed doctor of Dental Surgery. Neither one of these individuals ever committed any crimes. It is beyond egregious fraud on the court, it is a depraved heart criminal behavior , for a licensed attorney Berg to make such outrageous accusations of attempts to hire a hit man, kidnap children, murder for hire without any shred of evidence, with the only goal to cover up his prior criminal behavior of aiding and abetting a felon on probation, Lisa Liberi, to violate terms of her probation. This type of behavior is beyond sanctionable, it is a type of behavior, that is grounds for disbarment and criminal prosecution.

Wherefore:

1.the defendants move this court to grant their motion and provide to the defendants and include in the record on appeal to be forwarded to the Third Circuit Court of Appeals (case #10-3000) Plaintiff Lisa Liberi's PA drivers License, which was allegedly submitted to this court by Liberi's attorney Philip Berg during the 08.07.09 motion hearing, but was not included in the transcript, and which was the basis of this court's

decision to deny the Defendant's motion to dismiss this case due to lack of jurisdiction and to include in the 06.04.10 order a finding that "Liberi is a resident of PA"

2. If no PA drivers license for Liberi is available, Defendants are moving this court to dismiss current action 09-1898 Liberi et al v Taitz et al due to lack of jurisdiction, due to the fact that Liberi never provided proof of her PA residence, and without proof of state residence no federal district court can assert diversity jurisdiction.

3. Defendants request sanctions and damages awarded to them due to egregious fraud on the court by the Plaintiffs and their attorney Philip J. Berg

Respectfully submitted,

/s/ Dr. Orly Taitz, ESQ

07.28.10.

I certify under penalty of perjury, that I served above pleadings on following parties and authorities:

Philip Berg
555 Andorra Glen Court, ste 12
Lafayette Hill PA 19444-2531

Neil Sankey
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Linda Belcher
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Castroville TX 78009

Ed and Caren Hale
1401 Bowie Str

Wellington TX 79095

Philadelphia District Attorneys' office
3 South Penn square
Philadelphia, PA

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Audrey B. Collins
Chief Judge
US District Court
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Santa Ana CA 92701

Judge David O. Carter
USDC Central District of CA
411 West Fourth Str
Santa Ana CA 92701

Public Integrity Section
Department of Justice
950 Pennsylvania Ave, NW
Washington DC 20530-0001

Office of the United Nations High Commissioner for Human Rights (OHCHR)
Special Rapporteur on the Situation of Human Rights Defenders
The Honorable Mrs. Margaret Sekaggya
Palais des Nations
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International Criminal bar Hague

United Nations Commission for
Civil Rights Defenders
Orsolya Toth (Ms)
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/s/ Orly Taitz
07.28.10.

Proposed order

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Pro se and for Defend Our Freedoms Foundation

UNITED STATES DISTRICT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Lisa Liberi, et al) Case # 09-cv-01898-ECR
Plaintiffs) Assigned to Honorable Eduardo C. Robreno
)
V)
Orly Taitz et al)
Defendants	

ORDER

AND NOW, this_____ day of September 2010 after consideration of Defendant's motion-request for documents missing from August 7, 2009 transcript and 60 B Motion for Reconsideration of this courts June 4 and July 13, 2010 order.

Defendant's Motion is granted.

Plaintiff and attorney for plaintiffs Philip J Berg is ordered to show cause, why he should not be sanctioned for repeated acts of fraud on this court as well as on the Third Circuit Court of Appeals and for filing a frivolous legal action not based on fact and law.

IT IS SO ORDERED

Eduardo C. Robreno, J

residence no federal district court can assert diversity jurisdiction.

3. Defendants request sanctions and damages awarded to them due to egggregious fraud on the court by the Plaintiffs and their attorney Philip J. Berg

Respectfully submitted,

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Wellington TX 79095

Philadelphia District Attorneys' office
3 South Penn square
Philadelphia, PA

US Attorneys' office
Eastern District of PA
615 Chestnut str, ste 1250
Philadelphia PA 19106-4100

Exhibit 1

**Picture of Lisa Renee (Richardson) Liberi,
convicted in CA in 2008**



Exhibit 2

**Letter from Berg's web master Jeoff
Staples, attesting to Liberi's handling of
credit card numbers of others**

Phone: 2145990260
Fax: 8665421498

Fax

To: Orly Taitz **From:** Geoff Staples / Hostricity Web Hosting
Fax: 9497667603 **Pages:** 16
Re: Your Faxed Request **Date:** September 24, 2010

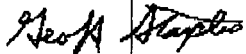
Ms. Taitz:

Per your faxed request for information regarding Lisa Liberi's access to credit card accounts while I was web host for Phil berg and the obamacrimes .com website:

I have attached emails from our archive showing that Lisa Liberi had access to donors credit card information, that she was processing credit cards, and that she was involved in the setup of the Linkpoint merchant account.

In order to process credit cards, she had to log in to the Linkpoint virtual terminal.

Please note that the credit cards listed in these emails have now expired, so I did not remove them.



Geoff Staples, Owner
Hostricity Web Hosting
Hostricity.com
214.599.0260

3883 Turtle Creek Blvd. Suite 205, Dallas, TX 75219

DR. ORLY TAITZ ESQ

29839 SANTA MARGARITA CA 93688, STE 100

RANCHO SANTA MARGARITA CA 92688

PH 949-683-5411 FAX 949-766-7603

08.29.10.

Attn Mr. Jeoff Staples

Hostcity.com

3883 Turtle Creek Blvd ste 205

Dallas TX 75219

ph 214-599-0260 fax 866-542-1498

Request for information

Dear Mr. Staples,

I am writing to you in regards to ongoing legal action, involving Lisa Liberi (Richardson, Courville), who works as a paralegal for Attorney Philip J.Berg.

It is my understanding that you managed Mr. Berg's web site as a web master. I am not asking for content of any e-mails or comments sent to that web site or any confidential information of the supporters or donors. I need to verify the following information:

- 1. Did Lisa Liberi or her husband Brent Liberi have access to credit card information of the donors, pay-pal account, merchant accounts of Philip Berg?**
- 2. Was there a paypal account or merchant account or any other financial account set in relation to that site under a name different from Philip Berg?**

This is a request for information only and I hope there will be no need for issuance of a formal subpoena at a later date.

Sincerely

Dr. Orly Taitz ESQ





Declined

Status: Closed Team: Domain Desk Bucket: Domain Renewals Mask: K3-Y2-R8 Internal ID: 12579

Subject: Declined

From: Llisaliberi@aol.com

Date: Mon, 3 Nov 2008 02:25:29 EST

To: Llisaliberi@aol.com, <helpdesk@hostcity.com>

Geoff,

This one declined.

[inbound] navstar@iolfree.ie
address book (javascript:;)

minimize (javascript:;)

To: <geoffstaples@hostcity.com>

Date: Sun, 2 Nov 2008 18:12:45 -0500

X-Envelope-From: hostcity.com@megawebservers.com

Return-Path: <hostcity.com@megawebservers.com>

Received: from asp-1.reflexion.net (ASP-1.reflexion.net [205.237.99.176]) by mail84c0.megamailservers.com (8.13.6.20060614/8.13.1) with SMTP id mA2NCotY017422 for <geoffstaples@hostcity.com>; Sun, 2 Nov 2008 18:12:52 -0500

(qmail 24400 invoked from network); 2 Nov 2008 23:12:50 -0000

from unknown (HELO asp-1.reflexion.net) (127.0.0.1) by 0 (rfx-qmail) with SMTP; 2 Nov 2008 23:12:50 -0000

by asp-1.reflexion.net (Reflexion email security v5.50.2) with SMTP; Sun, 02 Nov 2008 18:12:50 -0500 (EST)

(qmail 24351 invoked from network); 2 Nov 2008 23:12:48 -0000

from unknown (HELO mailrelay3.megawebservers.com) (216.251.35.243) by 0

(rfx-qmail) with (DHE-RSA-AES256-SHA encrypted) SMTP; 2 Nov 2008 23:12:48 -0000

from web197c0.megawebservers.com (web197c0.megawebservers.com

[216.251.35.197]) by mailrelay3.megawebservers.com (8.13.6.20060614/8.13.1) with ESMTP id mA2NCjjT026729 for <geoffstaples@hostcity.com>; Sun, 2 Nov 2008 18:12:46 -0500
from web197c0.megawebservers.com (localhost [127.0.0.1]) by web197c0.megawebservers.com (8.13.6/8.12.6/SuSE Linux 0.6) with ESMTP id mA2NCjic017925 for <geoffstaples@hostcity.com>; Sun, 2 Nov 2008 18:12:45 -0500
(from hostcity.com@localhost) by web197c0.megawebservers.com (8.13.6/8.12.6/Submit) id mA2NCj0G017924; Sun, 2 Nov 2008 18:12:45 -0500
Date: Sun, 2 Nov 2008 18:12:45 -0500
Message-Id: <200811022312.ma2ncj0g017924@web197c0.megawebservers.com>
To: <geoffstaples@hostcity.com>
Subject: Donation: 0e33ed2
From: navstar@iolfree.ie
Reply-To: navstar@iolfree.ie
X-Rfx-Filter-Score: score="2 (2/0)"; threshold="CUSTOM(29)"; result="OK"
Mime-Version: 1.0
Content-Type: multipart/alternative;
boundary="-----Boundary-00=_E5BQT35G1VH4WS6TN1EC"
X-Mmr:

full headers_ (javascript:)| skip to bottom
(file:///C:/Documents%20and%20Settings/DAD/Local%20Settings/Temporary%20Directory%201%20for%20OBAMACRIMES.zip/Donations%2012AM%2011-%202-08..htm#13080act)

Name: Francis Kuhn

Company:

E-mail: navstar@iolfree.ie

Address: Far Horizons Seaview, Murrintown County Wexford, Ireland 00000

Phone: 053-9139780

Fax:

Credit Card # / Exp. date (MM/YY): [REDACTED] / 12-08

Donation Donation to the Berg v. Obama Fund

1 x 6 = 6

Sub-Total = 6

Quantity Discount = 0.00

Total = 6.00

The reference number of this donation is: 0e33ed2

The customer has received his/her receipt and reference number by email.

Total Control Panel

<https://asp-1.reflexion.net/userHome.jsp?uID=10005602>
(<https://asp-1.reflexion.net/userHome.jsp?uID=10005602>)

*****Plan your next getaway with AOL Travel. Check out Today's Hot

5 Travel Deals!

(<http://pr.atwola.com/promoclk/100000075x1212416248x1200771803/aol?redir=http://travel.aol.com/discount-travel?ncid=emlcntustrav00000001>)

Total Control Panel

<https://asp-1.reflexion.net/userHome.jsp?uID=10008535>

**Fwd: Welcome to LinkPoint(R) API****Status:** Closed **Team:** Domain Desk **Bucket:** Domain Renewals **Mask:** YG-J6-8T **Internal ID:** 5797**Subject:** Fwd: Welcome to LinkPoint(R) API**From:** Llisaliberi@aol.com**Date:** Tue, 21 Oct 2008 22:26:14 EDT**To:** <helpdesk@hostricity.com>

*****New MapQuest Local shows what's happening at your destination.

Dining, Movies, Events, News & more. Try it out

(<http://local.mapquest.com/?ncid=emlcntnew00000002>)

Total Control Panel

<https://asp-1.reflexion.net/userHome.jsp?uID=10008535>

Geoff:

LinkPoint sent me two [2] sets of e-mails to set up regarding replacement of PayPal.

They appear to be very similar.

This is the first which is for LinkPoint (R) API and the other is LinkPoint Central.

**

Please do ASAP.

My Store Name Should change as it is "LAW OFFICES OF PHILIP"

**

Perhaps to;

**

"Support Federal Lawsuit to Remove Obama from Ballot" which is what you had on PayPal.

**

Thanks,

**

Phil

----- Forwarded message -----

From: secure@secure.linkpt.net <secure@secure.linkpt.net>

Date: Tue, Oct 21, 2008 at 10:17 AM

Subject: Welcome to LinkPoint(R) API

To: "philjberg@gmail.com" <philjberg@gmail.com>

Welcome to LinkPoint(R) API

Cardservice International(R) welcomes you to Internet payment processing and the LinkPoint(R) Secure Payment Gateway. We are pleased that you have chosen our LinkPoint Select API for your e-commerce Web site, and we offer the following information to ensure effective setup of this application. Please read this e-mail carefully.

This e-mail contains confidential information about your LinkPoint account. Please protect this information to prevent unauthorized access to your account.

Your DBA store name is: "LAW OFFICES OF PHILIP"
Your store number (store name) is between the quotation marks (""): "1202841"
Your user ID is between the quotation marks (""): "1202841"
Your secure host name is: "secure.linkpt.net" (port 1129)

Your Temporary Password
Please call our 24-hour Internet Support Department at (888) 477-3611, to obtain your activation password. To expedite this process, please have your store number ready and available. You will need your password to access reports and administrative tools.

Forget your password?
If you should forget your private password at anytime, call our 24-hour Internet Support Department at (888) 477-3611, to obtain a new temporary password. After you receive a new password, it will take approximately 30 minutes for the system to update. We suggest that you change your new temporary password the next time you log on to LinkPoint Central.

Technical Questions?
Please contact LinkPoint Select API support at (888) 477-3611 Monday through Friday 9am to 6pm Eastern Standard Time.

General Questions?
Please contact your Cardservice International sales agent at DOMINICK@FDIS-MWS.COM.

Getting Started
See the LinkPoint API Integration Guide for full instructions on using the LinkPoint API.

To access LinkPoint reports and administrative tools, please use LinkPoint Central. Log on using the URL below.

LinkPoint reports and administration URL (LinkPoint Central) =>
<https://www.linkpointcentral.com>

After you log on to the LinkPoint Central secure Web site, you should change your temporary password to a new secret or private password. To change your password, click on Admin in the Main Menu Bar, then on Change Password. Choose a password that is familiar to you, and commit it to memory. Once you establish your new password, Linkpoint will have no record of your private

password. Note: For your own security, please do not share this password with anyone.

Your Digital Certificate

In order for you to begin accepting credit card payments, your ISP may require a digital certificate to complete the setup of your store. This certificate should be saved as a file on your Web server with a .pem extension.

To download your digital certificate, please use LinkPoint Central.

Access LinkPoint download Center in the LinkPoint Central Support section:

- Log in at <https://www.linkpointcentral.com>.
- Click on "Support" in the Main Menu Bar.
- Click on the word "Download Center" under Downloads in the Side Menu Box.
- Click on the word "download" Store PEM File section on main page.
- Key in necessary information to start download.

Merchant Services

If you have questions about your merchant account, statement, etc., contact Card Service International Merchant Services Department at (877) 274-7915.

Thank you for processing with Cardservice International and the Linkpoint Secure Gateway. We appreciate your business!

The information in this message may be proprietary and/or confidential, and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify First Data immediately by replying to this message and deleting it from your computer.

Subject: Re: Fwd: Welcome to LinkPoint(R) API
From: Help Desk <helpdesk@hostcity.com>
Date: Tue, 21 Oct 2008 22:40:59 -0500
To: llisaliberi@aol.com

Phil has to contact Linkpoint to get his password. Instructions are in the email below.

Geoff

On Tue, 21 Oct 2008 21:26:14 -0500, llisaliberi@aol.com wrote:

- > *****New MapQuest Local shows what's happening at your destination.
- > Dining, Movies, Events, News & more. Try it out

> (<http://local.mapquest.com/?ncid=emlcntnew00000002>)
> Total Control Panel
> <https://asp-1.reflexion.net/userHome.jsp?uID=10008535>
> *Geoff:*
> *LinkPoint sent me two [2] sets of e-mails to set up regarding replacement
> of PayPal.*
> *They appear to be very similar.*
> *This is the first which is for LinkPoint (R) API and the other is LinkPoint
> Central.*
> **
> *Please do ASAP.*
>
> *My Store Name Should change as it is "LAW OFFICES OF PHILIP"*
> **
> *Perhaps to;*
> **
> *"Support Federal Lawsuit to Remove Obama from Ballot" which is what you had
> on PayPal.*
> **
> *Thanks,*
> **
> *Phil*
>
>
>
> ----- Forwarded message -----
> From: secure@secure.linkpt.net <secure@secure.linkpt.net>
> Date: Tue, Oct 21, 2008 at 10:17 AM
> Subject: Welcome to LinkPoint(R) API
> To: "philjberg@gmail.com" <philjberg@gmail.com>
>
>
> Welcome to LinkPoint(R) API
>
> Cardservice International(R) welcomes you to Internet payment processing and
> the LinkPoint(R) Secure Payment Gateway. We are pleased that you have chosen
> our LinkPoint Select API for your e-commerce Web site, and we offer the
> following information to ensure effective setup of this application. Please
> read this e-mail carefully.
>
> This e-mail contains confidential information about your LinkPoint account.
> Please protect this information to prevent unauthorized access to your
> account.
>
> Your DBA store name is: "LAW OFFICES OF PHILIP"
> Your store number (store name) is between the quotation marks (""): "1202841"
> Your user ID is between the quotation marks (""): "1202841"
> Your secure host name is: "secure.linkpt.net" (port 1129)
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> Your Temporary Password
> Please call our 24-hour Internet Support Department at (888) 477-3611, to

- > obtain your activation password. To expedite this process, please have your
- > store number ready and available. You will need your password to access
- > reports and administrative tools.
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- > Forget your password?
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- > - Click on "Support" in the Main Menu Bar.
- > - Click on the word "Download Center" under Downloads in the Side Menu Box.
- > - Click on the word "download" Store PEM File section on main page.
- > - Key in necessary information to start download.
- >
- > Merchant Services

- > If you have questions about your merchant account, statement, etc., contact
- > Card Service International Merchant Services Department at (877) 274-7915.
- >
- > Thank you for processing with Cardservice International and the Linkpoint
- > Secure Gateway. We appreciate your business!

- >
- >
- >
- >
- >
- > -----
- > The information in this message may be proprietary and/or
- > confidential, and protected from disclosure. If the reader of this
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- > received this communication in error, please notify First Data
- > immediately by replying to this message and deleting it from your
- > computer.

Hostricity Help Desk

Subject: Fwd: Fwd: Welcome to LinkPoint(R) API
From: Help Desk <helpdesk@hostricity.com>
Date: Sun, 02 Nov 2008 00:01:23 -0500
To: philjberg@gmail.com

We need to reset the password.

- > Your DBA store name is: "LAW OFFICES OF PHILIP"
- > Your store number (store name) is between the quotation marks (""): "1202841"
- > Your user ID is between the quotation marks (""): "1202841"
- > Your secure host name is: "secure.linkpt.net" (port 1129)
- >
- > Please call our 24-hour Internet Support Department at (888) 477-3611, to
- > obtain your activation password. To expedite this process, please have your
- > store number ready and available. You will need your password to access
- > reports and administrative tools.

Hostricity Help Desk

--- Forwarded message ---

Subject: Re: Fwd: Welcome to LinkPoint(R) API
From: Help Desk <helpdesk@hostricity.com>
Date: Tue, 21 Oct 2008 22:40:59 -0500
To: llisaliberi@aol.com

Phil has to contact Linkpoint to get his password. Instructions are in the email below.

Geoff

On Tue, 21 Oct 2008 21:26:14 -0500, Llisaliberi@aol.com wrote:

> *****New MapQuest Local shows what's happening at your destination.

> Dining, Movies, Events, News & more. Try it out

> (<http://local.mapquest.com/?ncid=emlcntnew00000002>)

> Total Control Panel

> <https://asp-1.reflexion.net/userHome.jsp?uID=10008535>

> *Geoff.*

> *LinkPoint sent me two [2] sets of e-mails to set up regarding replacement

> of PayPal.*

> *They appear to be very similar.*

> *This is the first which is for LinkPoint (R) API and the other is LinkPoint

> Central.*

> **

> *Please do ASAP.*

>

> *My Store Name Should change as it is "LAW OFFICES OF PHILIP"*

> **

> *Perhaps to,*

> **

> *"Support Federal Lawsuit to Remove Obama from Ballot" which is what you had

> on PayPal.*

> **

> *Thanks,*

> **

> *Phil*

>

>

>

> ----- Forwarded message -----

> From: secure@secure.linkpt.net <secure@secure.linkpt.net>

> Date: Tue, Oct 21, 2008 at 10:17 AM

> Subject: Welcome to LinkPoint(R) API

> To: "philjberg@gmail.com" <philjberg@gmail.com>

>

>

> Welcome to LinkPoint(R) API

>

> Cardservice International(R) welcomes you to Internet payment processing and

> the LinkPoint(R) Secure Payment Gateway. We are pleased that you have chosen

> our LinkPoint Select API for your e-commerce Web site, and we offer the

> following information to ensure effective setup of this application. Please

> read this e-mail carefully.

>

> This e-mail contains confidential information about your LinkPoint account.

> Please protect this information to prevent unauthorized access to your

> account.

>

> Your DBA store name is: "LAW OFFICES OF PHILIP"

- > Your store number (store name) is between the quotation marks ("): "1202841"
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- > Choose a password that is familiar to you, and commit it to memory. Once you
- > establish your new password, Linkpoint will have no record of your private
- > password. Note: For your own security, please do not share this password
- > with anyone.
- >
- > Your Digital Certificate
- > In order for you to begin accepting credit card payments, your ISP may
- > require a digital certificate to complete the setup of your store. This
- > certificate should be saved as a file on your Web server with a .pem
- > extension.
- > To download your digital certificate, please use LinkPoint Central.
- > Access LinkPoint download Center in the LinkPoint Central Support section:
- > - Log in at <https://www.linkpointcentral.com>.

- > - Click on "Support" in the Main Menu Bar.
- > - Click on the word "Download Center" under Downloads in the Side Menu Box.
- > - Click on the word "download" Store PEM File section on main page.
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> Merchant Services

- > If you have questions about your merchant account, statement, etc., contact
- > Card Service International Merchant Services Department at (877) 274-7915.

>

> Thank you for processing with Cardservice International and the Linkpoint

> Secure Gateway. We appreciate your business!

>

>

>

>

>

> -----

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- > immediately by replying to this message and deleting it from your
- > computer.

Hostcity Help Desk

[Sticky Note]

From: Geoff Staples

Date: Sun, 02 Nov 2008 00:41:31 -0500

zlasdf9



Fwd: Donation: 0f6d3d2

Status: Closed Team: Domain Desk Bucket: Domain Renewals Mask: 43-2D-7U Internal ID: 13190

Subject: Fwd: Donation: 0f6d3d2
 From: Llisaliberi@aol.com
 Date: Wed, 5 Nov 2008 14:45:01 EST
 To: <helpdesk@hostcity.com>

*****AOL Search: Your one stop for directions, recipes and all other

Holiday needs. Search Now.

(<http://pr.atwola.com/promoclk/100000075x1212792382x1200798498/aol?redir=http://searchblog.aol.com/2008/11/04/happy-holidays-from>

-aol-search/?ncid=emlcntussear00000001)

Total Control Panel

<https://asp-1.reflexion.net/userHome.jsp?uID=10008535>

This should be the last of them.

Geoff

Starting with the newest message:

[inbound] brianmalek1@yahoo.com

address book

minimize

To: <geoffstaples@hostcity.com>

Date: Mon, 3 Nov 2008 23:45:29 -0500

X-Envelope-From: hostcity.com@megawebservers.com

Return-Path: <hostcity.com@megawebservers.com>

Received: from asp-1.reflexion.net (ASP-1.reflexion.net [205.237.99.176]) by mail87c0.megamailservers.com (8.13.6.20060614/8.13.1) with SMTP id mA44jV9t006550 for

<geoffstaples@hostcity.com>; Mon, 3 Nov 2008 23:45:34 -0500

(qmail 24412 invoked from network); 4 Nov 2008 04:45:31 -0000

from unknown (HELO asp-1.reflexion.net) (127.0.0.1) by 0 (rfx-qmail) with SMTP; 4 Nov 2008 04:45:31 -0000

by asp-1.reflexion.net (Reflexion email security v5.50.2) with SMTP; Mon, 03 Nov 2008 23:45:31 -0500 (EST)

(qmail 24403 invoked from network); 4 Nov 2008 04:45:31 -0000

from unknown (HELO mailrelay1.megawebservers.com) (216.251.35.241) by 0 (rfx-qmail) with (DHE-RSA-AES256-SHA encrypted) SMTP; 4 Nov 2008 04:45:31 -0000

from web196c0.megawebservers.com (web196c0.megawebservers.com [216.251.35.196]) by mailrelay1.megawebservers.com (8.13.6.20060614/8.13.1) with ESMTP id mA44jU0u026126 for

<geoffstaples@hostcity.com>; Mon, 3 Nov 2008 23:45:30 -0500

from web196c0.megawebservers.com (localhost [127.0.0.1]) by web196c0.megawebservers.com (8.13.6/8.12.6/SuSE Linux 0.6) with ESMTP id mA44jUcJ025401 for <geoffstaples@hostcity.com>; Mon,

3 Nov 2008 23:45:30 -0500

(from hostcity.com@localhost) by web196c0.mcgawebrowsers.com (8.13.6/8.12.6/Submit) id
mA44jT95025400; Mon, 3 Nov 2008 23:45:29 -0500

Date: Mon, 3 Nov 2008 23:45:29 -0500

Message-Id: <200811040445.mA44jT95025400@web196c0.mcgawebrowsers.com>

To: <geoffstaples@hostcity.com>

Subject: Donation: 0fd369e

From: brianmalek1@yahoo.com

Reply-To: brianmalek1@yahoo.com

Mime-Version: 1.0

Content-Type: multipart/alternative; boundary="-----Boundary-00=_V7LSWT7KWBLIXQF5MEZ8"

X-Mmr:

full headers | skip to bottom

Name: brian malek

Company:

E-mail: brianmalek1@yahoo.com

Address: 15000 mansions view dr. 501, Conroe Texas 77384

Phone: 8178007899

Fax:

Credit Card # / Exp. date (MM/YY): 4011710003909358 / 03/10-Visa

Donation Donation to the Berg v. Obama Fund

1 x 5 = 5

0 = 0;

0 = 0;

Sub-Total = 5

Quantity Discount = 0

Total = 5.00

The reference number of this donation is: 0fd369e

The customer has received his/her receipt and reference number by email.

The Support Team

Hostcity Web Hosting

3883 Turtle Creek Blvd., Suite 205

Dallas, TX 75219

Website: <http://www.hostcity.com>

Support: <http://support.hostcity.com>

214.599.0260

If you have not already done so, please whitelist the domain "hostcity.com" in your spam filter.

We use Hostcity Total Mail Control for Spam and Virus Filtering: <http://www.hostcity.com/tmc>

Exhibit 3

**Affidavit from Berg's volunteer researcher
Linda Belcher, attesting to pay-pal account
under name Brent Liberi, connected to
Berg's site ObamaCrimes.com**

AFFIDAVIT OF LINDA S. BELCHER

I am Linda S. Belcher who resides at 201 Paris St., Castroville, Medina County, TX 78009. I am over 21 years of age, of sound mind and make this declaration under penalty of perjury under the laws of the State of Texas. I do hereby swear to the following:

During the early fall months of 2008, Lisa Liberi mentioned to me during a telephone conversation that because of the number of donations coming in, PayPal had closed Berg's account where he was accepting donations for obamacrimes.com to fund his legal expenses in challenging the eligibility of Barack Obama to serve as POTUS. Then, a second PayPal account was set up under the name of Berg's girlfriend Carol to accept donations on Berg's behalf at obamacrimes.com. It wasn't long before this second account was shut down by PayPal, too.

Late one night, while we were on the telephone, Lisa Liberi told me she was setting up a third PayPal account under her husband Brent Liberi's name, to accept donations on behalf of Berg and that she had set it up to issue a receipt from "the law office of Philip J. Berg." If subpoenas are issued for the records of that account from Paypal opened by her, the history of her IP, time and date stamps will show this evidence. She then asked me to make a small donation of a few dollars to see if it was set up properly. Lisa Liberi retained complete access to and control over this third PayPal Account owned by her husband to accept donations for Berg until I was banned on March 6th, 2009.

I also learned from Lisa Liberi that she had set up, had access to and control over Berg's Linkpoint Merchant Account where donors could directly use their credit cards to make donations without signing up for a PayPal account. Liberi mentioned to me several times that she was manually entering charges to donors credit cards due to a glitch in the system over the course of many months, or when some cards declined.

Linda S. Belcher
Linda S. Belcher

9-28-2010
Date

SUBSCRIBED AND SWORN BEFORE ME
THIS 28 DAY OF Sept, 2010
Linda Schmitt
NOTARY PUBLIC